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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,400	03/29/2001	Naishin Seki	JP919990315US1(590.048)	3587

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FERENCE & ASSOCIATES
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EXAMINER

OSMAN, RAMY M

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/821,400	Applicant(s) SEKI ET AL.	
	Examiner Ramy M Osman	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communication received on 8/20/2004. Claims 1-19 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-19 rejected under 35 U.S.C. 102(e) as being anticipated by Chang et al. (US Patent No 6,134,584).
4. In reference to claims 1,6,10,13 and 16-19, Chang teaches a web page acquisition system, provider, method, computer readable memory and program of instructions, all respectively comprising:

a web page acquisition server and a user terminal, both of which are connected to a communication network, wherein said user terminal transmits to said web page acquisition server a web page acquisition request that includes various acquisition conditions; and wherein, in accordance with said acquisition conditions included in said web page acquisition request received from said user terminal, said web page acquisition server acquires a web page source

from a web server on said communication network and transmits said web page source to said user terminal (column 2 lines 20-40, column 3 lines 25-55, column 4 lines 28-50 and column 7 lines 1-15 & 45-50)

5. In reference to claims 2 and 11, Chang teaches web page acquisition service system and method according to claims 1 and 13:

wherein, as one of said acquisition conditions included in said web page acquisition request, said user terminal designates a time condition for the acquisition of a web page source (Summary, column 2 lines 20-40 and column 6 lines 1-40); and

wherein, in accordance with said time condition designated in said web page acquisition request, said web page acquisition server acquires said web page source and transmits said web page source to said user terminal (Summary, column 2 lines 20-40 and column 6 lines 1-40).

6. In reference to claims 3,4 and 12, Chang teaches web page acquisition service system and method according to claims 2 and 11,

wherein said web page acquisition server performs scheduling for the acquisition of a web page source, while taking into account said time condition that is designated in said web page acquisition request and the volume of the communication traffic carried by said communication network (Summary, column 2 lines 20-40 and column 6 lines 1-40).

7. In reference to claim 5, Chang teaches web page acquisition service system according to claim 1,

wherein, when said web page acquisition server receives from a plurality of user terminals a plurality of web page acquisition requests for the same page, said web page acquisition server obtains and archives a corresponding web page source for said plurality of

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requests, and transmits said web page source to said user terminals that issued said web page acquisition requests (Summary and column 2 lines 20-40).

8. In reference to claims 7,8 and 15, Chang teaches provider and method according to claims 6 and 13, wherein said transmission control unit forms into a library file said web page source that, in accordance with said web page acquisition request, is obtained and held in said web page acquisition/archiving unit, and transmits said library file to said user terminal (Summary, column 2 lines 20-40 and column 6).

9. In reference to claim 9, Chang teaches provider according to claim 6, wherein said transmission control unit changes a link for said web page source held by said web page acquisition/archiving unit from an absolute link based on the URL of a web page source, into a relative link (Summary, column 2 lines 20-40 and column 6).

10. Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

Response to Arguments

11. Applicant's arguments filed 8/20/2004 have been fully considered but they are not persuasive.

Applicant argues that Chang does not disclose a “web page acquisition server”, “a user terminal”, and “a web server” from which the web page acquisition server acquires a web page source (in accordance with various acquisition conditions) and then transmits the web page source to the user terminal.

However, the previous office action explains that Chang teaches these elements. Chang discloses a ‘destination entity’ which is equivalent to applicants ‘web page acquisition server’ (column 2 lines 20-40 and column 7 lines 1-15 & 45-50). Chang discloses a ‘requesting computer system’ which is equivalent to applicants ‘user terminal’ (column 3 lines 25-55 and column 4 lines 50-60). Chang also discloses a ‘web source entity’ which is equivalent to applicants ‘web server’ (column 2 lines 20-40 and column 7 lines 1-15). Chang teaches that the ‘destination entity’ acquires web page data from a ‘web page source entity’, based on a requesting message from a ‘requesting computer system’. The ‘destination entity’ then transmits the web page to the ‘requesting computer system’. (column 2 lines 20-40, column 3 lines 25-55, column 4 lines 28-50 and column 7 lines 1-15 & 45-50) Therefore, Chang teaches each element of the claims.

12. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

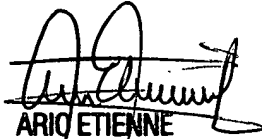
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO

November 8, 2004


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100